

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott D. Cohen, et al. Art Unit : 2624
Serial No. : 10/716,782 Examiner : Andrae Allison
Filed : November 18, 2003 Conf. No. : 6167
Title : IDENTIFYING ONE OR MORE OBJECTS WITHIN AN IMAGE

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MAY 23, 2008

In response to the non-final Office Action dated May 23, 2008, applicant submits the following remarks.

Claims 1, 3-17 and 19-54 are pending. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following remarks.

Examiner Interview

Applicant thanks the Examiner for participating in a telephone interview with the Applicant's representative on June 25, 2008, in which the Examiner stated that the rejection of claims 40-54 under 35 U.S.C. § 101 was in error. The Examiner further agreed that the Applicant need not address the rejection in response to the Office action.

35 U.S.C. § 101 Claim Rejections

As explained above, the rejection of claims 40-54 under 35 U.S.C. § 101 was in error. Accordingly, Applicant respectfully requests withdrawal of the § 101 claim rejections.

35 U.S.C. § 103(a) Claim Rejections

The remaining claim rejections under 35 U.S.C. § 103(a) are as follows:

(1) Claims 1, 3-7, and 10 are rejected for allegedly being unpatentable over the Takahashi patent (US 6,665,439) in view of the Westman et al. reference.